

§ 19.589

afford access to the contents of any other compartment.

(2) The conveyance (or in the case of compartmented conveyances, each compartment) shall be so arranged that it can be completely drained.

(3) Each tank car or tank truck shall have permanently and legibly marked thereon its number, capacity in wine gallons, and the name or symbol of its owner.

(4) If the conveyance consists of two or more compartments, each compartment shall be identified and the capacity of each shall be marked thereon.

(5) A route board, or other suitable device, for carrying required marks or brands shall be provided on each bulk conveyance.

(6) Calibrated charts showing the capacity of each compartment in wine gallons for each inch of depth, shall be available for use in measuring the contents of each tank truck, tank ship, or barge.

(b) *Proprietor's responsibility.* Before filling any bulk conveyance, the proprietor shall examine it to ascertain that it meets the requirements of this section and is otherwise suitable for receiving the spirits, denatured spirits, or wines, and he shall refrain from, or discontinue, using any such conveyance found by him or by an ATF officer to be unsuitable.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended, 1362, as amended (26 U.S.C. 5206, 5212, 5214); sec. 807, Pub. L. 96-39, 93 Stat. 285 (26 U.S.C. 5213))

[T.D. ATF-198, 50 FR 8464, Mar. 1, 1985, as amended by T.D. ATF-206, 50 FR 23952, June 7, 1985]

§ 19.589 Restrictions on disposition of bulk spirits.

(a) *For nonindustrial use.* Spirits for nonindustrial use may be sold or disposed of in containers holding more than 1 wine gallon only to the persons and for the purposes set forth in 27 CFR part 3.

(b) *For industrial use.* Shipment or delivery of spirits (other than alcohol or neutral spirits) withdrawn from bond in containers holding more than 1 wine gallon for industrial use shall, as pro-

27 CFR Ch. I (4-1-03 Edition)

vided in 27 CFR part 3, be made directly to the user of the spirits.

(Sec. 201, Pub. L. 85-895, 72 Stat. 1356, as amended (26 U.S.C. 5201))

MARKS

§ 19.592 General.

Proprietors shall mark, identify, and label all containers of spirits or denatured spirits as provided by this part. Containers of wine shall be marked in accordance with 27 CFR part 24. Containers of articles shall be marked in accordance with 27 CFR part 211.

(Sec. 201 Pub. L. 85-859, 72 Stat. 1358, as amended, 1360, as amended (26 U.S.C. 5204, 5206))

[T.D. ATF-206, 50 FR 23952, June 7, 1985, as amended by T.D. 372, 61 FR 20724, May 8, 1996]

§ 19.593 Package identification numbers in production and storage.

(a) *General.* Packages of spirits filled during production or storage operations after December 31, 1979, shall be marked with a lot identification representing the date the package is filled, and consisting, in the order shown, as follows:

(1) The last two digits of the calendar year;

(2) An alphabetical designation from "A" through "L", representing January through December, in that order;

(3) The digits corresponding to the day of the month; and

(4) When more than one lot is filled into packages during the same day, for successive lots after the first lot, a letter suffix, in alphabetical order, with "A" representing the second lot, "B" representing the third lot, and so forth.

The first three lots filled into packages on January 2, 1980, would be identified as "80A02", "80A02A", "80A02B".

(b) *Packages constituting a lot.* Packages of spirits received from customs custody or filled during any one day shall be given the same lot identification subject to the following conditions:

(1) They are of the same type and either are of the same rated capacity or are uniformly filled with the same quantity by weight or other method provided in § 19.319;

(2) They are filled with spirits of the same kind and same proof;

(3) They are filled with spirits which are mingled in accordance with § 19.346; and

(4) They are filled with imported spirits, Puerto Rican spirits, or Virgin Islands spirits, as applicable. Any remnant package shall itself constitute a lot.

(c) *Serial numbers.* The regional director (compliance) may require serial numbers on packages of spirits within the same lot in conjunction with the lot identification, at the time of filling, receipt on bonded premises, or withdrawal from bond. Proprietors shall assign temporary serial numbers to packages for control purposes when they are transferred in bond in an unsecured conveyance or gauged after being tampered within the storage account.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended (26 U.S.C. 5206))

[T.D. ATF-198, 50 FR 8464, Mar. 1, 1985; 50 FR 23410, June 4, 1985]

§ 19.594 Numbering of packages and cases in processing.

(a) *General.* Packages of spirits and denatured spirits filled during processing operations and cases containing bottles or other containers of spirits and denatured spirits shall, when filled, be consecutively numbered in a separate series by the proprietor commencing with "1" in each series of serial numbers, except that any series of such numbers in use may be continued. When the numbering in any series reaches "1,000,000", the proprietor may recommence the series. However, a new series for packages of spirits and denatured spirits filled during processing operations shall be given an alphabetical prefix or suffix. For additional identification, separate series of serial numbers, distinguished from each other by the use of alphabetical prefixes or suffixes, may be established to identify size of bottles, brand names, or other information, on written notice to the regional director (compliance). Remnant cases shall be given the serial number of the last full case followed by the letter R. Where there is a change in the individual, firm, corporate name, or trade name, all series in use at that

time shall be continued. However, for a change in proprietorship, a new series shall be commenced.

(b) *Alternative method for spirits, including denatured spirits, for industrial use.* Instead of the numbering required by paragraph (a) of this section, packages and cases of spirits, including denatured spirits, for industrial use filled in processing may be marked with lot identification numbers provided in § 19.593.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended (26 U.S.C. 5206))

§ 19.595 Specifications for marks.

(a) *Manner.* (1) The proprietor shall place the prescribed marks on cases, encased containers, and packages of spirits and denatured spirits so that they are:

- (i) Of sufficient size to be easily read;
- (ii) Of a color distinctly in contrast to that of the background;
- (iii) Legible; and
- (iv) Durable.

(2) Cases, encased containers or packages may be marked by the use of labels which are legible and securely affixed.

(b) *Location.* The required marks shall be placed on one side or head, as applicable.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended (26 U.S.C. 5206))

§ 19.596 Marks on packages of spirits filled on bonded premises.

(a) *Packages filled in production or storage.* Except as otherwise provided in this part, packages of spirits filled in production or storage shall be marked with:

- (1) The name of the producer, or his trade name as required by paragraph (c) of this section;
- (2) The plant number of the producer, such as "DSP-KY-708";
- (3) The kind of spirits or, in the case of distillates removed under § 19.322, the kind of distillates such as "Grape distillate", "Peach distillate", etc.;
- (4) The package identification number;
- (5) "BSA" or "OC" when spirits are treated with caramel or oak chips, as the case may be;
- (6) The rated capacity of the package in gallons shown as "RC-G".